

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC# _____
DATE FILED: 11/9/16

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

AHMED MOHAMMED EL GAMMAL,

Defendant.

ORDER

15 Cr. 588 (ER)

Ramos, D.J.:

Pending before the Court is the Government's motion *in limine* requesting the Court to deny Ahmed Mohammed El Gammal's ("Defendant's") request for a jury questionnaire. *See* Doc. 80 at 34-36. On October 3, 2016, Defendant submitted a proposed jury questionnaire that includes seventy four written questions to be used as part of an initial "screening process" prior to the oral jury *voir dire*. Doc. 76; *see also* Doc. 92 at 24.

"Whether to use a jury questionnaire is within the discretion of the Court." *United States v. Tomero*, 486 F. Supp. 2d 320, 324 (S.D.N.Y. 2007); *see also Rosales-Lopez v. United States*, 451 U.S. 182, 182 (1981) ("[F]ederal judges have been accorded ample discretion in determining how best to conduct the *voir dire*."). The Court finds that Defendant's rights can be adequately protected through the normal *voir dire* process. Defendant has had ample opportunity to suggest areas of inquiry for the oral *voir dire*, and agrees that the issue regarding the jury questionnaire is simply one of "how and when the questions will be asked." Doc. 92 at 25.

The Government's motion *in limine* to conduct the jury *voir dire* without the use of a jury questionnaire is therefore GRANTED.

SO ORDERED.

Dated: November 8, 2015
New York, New York


Edgardo Ramos, U.S.D.J.